

REMARKSClaim Objections

Claims 25 and 26 were objected to because of the informalities.

In response, Applicants amended claims 25 and 26.

§ 103 Rejections

Claims 20, 22-25 stand rejected under 35 USC § 103(a) as being unpatentable over Baird, Jr. (US Pat. 4,832,834) in view of Welygan et al. (US Pat. 5,011,642) and Beretta et al. (US Pat. 5,891,549).

Claim 20 has been amended to more particularly distinguish over the combination of Baird, Jr. in view of Welygan et al. and Beretta.

Baird et al. is directed at an “Elastomer Sieve Screen”, this is the title. This “Elastomer Sieve Screen” is intended to be used for screen boxes for cleaning “stone, coal, aggregate, sand and the like” (Col. 1, Line 10-12), as such it is a thick heavy-duty screen formed by a milling process. Baird teaches milling (rotary cutting blades Col. 4, lines 32-36), an elastomer body, to form their sieve screens, which as mentioned at Col. 4, line 41-42 is at least a half of inch thick.

Claim 20 now requires that the film used to form the netting is “inelastic” and that the method is directed at forming a flexible netting. The claim also requires that the oriented strand structures are “inelastic”.

The formation of a flexible inelastic netting is directly contrary to the teachings of Baird.

The secondary reference Welygan et al. is an extruded article. The base thicknesses of the exemplified films are 0.45 mm and 0.46 mm. This is 25 times thinner than the milled elastic stock in Baird et al. and not suitable for Baird’s intended uses as a coal screen and the like. It would be a thin flexible film and would break immediately if used for any of Baird’s intended

uses. It is submitted that Welygan et al is not in any sense combinable with Baird for at least this reason alone. One of skill in the art would not look to Welygan for any relevant teaching on how to modify or improve a coal sieve as taught in Baird. Even so, Baird still requires an elastomeric screen.

The other secondary reference Beretta forms a netting by what appears to be a direct extrusion process. The netting is primarily used for drainage purposes (Col. 1, Line 11-15; Col. 3, Line 34-39) and is generally used with a non-woven or woven fabric or membrane. Stretching is mentioned as a way to "significantly" increasing the flexibility of the product and widening the meshes." The teachings of Beretta are again in contrary teaching and intended use of the primary reference Baird. Baird initially requires an "elastomeric screen" so stretching could not be performed to "widen the meshes". Also the requirements for Baird's apertures are discussed at Col. 3, Line 10-20 of Baird which states

"FIG. 1 is a sheet of elastomer material identified as an entirety by the letter E, further showing a side and an end elevation of a vertical thickness 13, and a top layer 1 with a bottom layer numbered 2. The said thickness is predetermined per application of a desired screen body, based on the top size fragmented hard stock material that will charge the said screen to be manufactured, along with the desired fragmented material to be sifted in a shaker box unit. The said thickness on the average is three quarters the width of the desired preferred rectangular aperture to be formed by the invention."

Baird wants the thickness of the elastomer sheet to be about $\frac{3}{4}$ the width of the apertures. This is hardly the direction that Beretta would lead one of skill in the art, particularly with stretching where the thickness is reduced further and the net, which is initially inappropriate for screening coal as per Beretta, is now made even more so.

The rejection of claims 53-60 is likewise inappropriate in view of the teaching direction of Beretta et al. for the reasons noted above. Claim 53 has also been amended to indicate that the film is slit, which Baird certainly does not do. It would be inappropriate to read slitting as this

term is ordinary defined in the art and as used by applicants, to cover milling as disclosed in Baird.

American Heritage Dictionary

slit (slīt) Pronunciation Key ◊ ◊

n.

A long, straight, narrow cut or opening.

The Brumlich reference is also inappropriate to combine with Baird as it is likewise a thin flexible netting formed by an inelastic material and adds nothing more than Beretta et al.

In view of the above, it is submitted that the application is in condition for allowance. Reconsideration of the application is requested.

Allowance of claims 20, 22-26 and 53-60, as amended, at an early date is solicited.

Respectfully submitted,

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